

REMARKS

This amendment is submitted in response to the Examiner's Action dated February 23, 2004. Applicants have amended the claims to clarify key features of the invention and overcome the claim objections and rejections. The features added are fully supported by the specification, as filed. No new matter has been added, and the amendments place the claims in better condition for allowance. Applicants respectfully request entry of the amendments to the claims. The discussion/arguments provided below reference the claims in their amended form.

IN THE CLAIMS

In the present Office Action, Claim 18 is objected to because of informalities. Accordingly, Applicants have amended Claim 18 to remove the informality. Applicants respectfully request entry of the amendments to the Claim 18 and removal of the objections.

CLAIMS REJECTIONS UNDER 35 U.S.C. § 102

In the present Office Action, Claims 1-5, 7-8, 10-15 and 22-26 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Smith* (U.S. Patent No. 5,923,327). *Smith* does not anticipate Applicants' claimed invention because *Smith* does not teach each feature recited by Applicants' claims.

Notably, many of the features that are not taught by *Smith* are features that were not specifically recited by the previous/original claims being rejected by Examiner. These additional features are provided within the specification and have now been added to the claims to further distinguish Applicant's claimed invention from the references. Thus, Applicants' claims now clearly recite a list of novel features (not taught by the references). These features, presented with their respective claim numbers, include:

“storing ... business card as an electronic image; ... and transmitting an electronic representation ... displayed on said recipient cell phone” (Claim 1);

“selecting a layout ... scales said business card to fit in a display screen of said cellular telephone” (Claim 2);

“storing said electronic image ...; retaining only relevant identifying data...within a directory list of said cellular phone; and enabling upload of said electronic image ..., wherein said electronic image is displayed when said identifying data is selected” (Claim 4);

“enabling voice activation ...by a user voicing “call” while said electronic image of said business card is being displayed” (Claim 5);

“identifying a default business card..., wherein a general selection execute functions automatically selects said default business card” (Claim 6);

“transmitting said default business card ...unless said user specifically selects a different one ...; and ... maintaining a record of each recipient of said business card” (Claim 7); and

“enabling ...relevant communication data ... format that enables said user to later initiate a call and send an email without physically entering the telephone number or email address of the contact identified by said business card” (Claim 9).

Smith does not teach (and the combinations of references do not suggest) the above features recited by Applicants’ claims.

Examiner correctly attributed several features recited by the previous/original claims as being taught by *Smith*. Accordingly, Applicants’ now present additional features (and clarification of previously presented features), which further distinguish Applicants’ claimed invention from *Smith*. Thus, while *Smith* teaches a general presentation of business card information on a cell phone, *Smith* (and the other 103 references, addressed below) does not teach each of the above features recited by Applicants’ amended claims.

The standard for a § 102 rejection requires that the reference teach each element recited in the claims set forth within the invention. As clearly outlined above, *Smith* fails to meet this standard and therefore does not anticipate Applicants’ claims. Applicants’ claims are therefore allowable.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

In the present Office Action, Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Smith* in view of *Shachar* (U.S. Patent No. 5,764,736). Claims 19 and 19-21

are rejected under 35 U.S.C. 103(a) as being unpatentable over *Smith* in view of *Peacock* (U.S. Patent No. 6,601,111). Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Smith* in view of *Alperovich* (U.S. Patent No. 6,175,741). Finally, Claims 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Smith* in view of *Pierce* (U.S. Patent No. 6,223,035).

The above arguments, which overcome the §102 rejections and renders the independent claims allowable, necessarily overcomes the §103 rejections of the present dependent claims, which are dependent on the allowable independent claims. For this reason, the present claims are also allowable.

CONCLUSION

Applicants have diligently responded to the Office Action by amending the claims to overcome claim objections and clarify features within specific claims. The amendments and supporting arguments further overcome the §102 and §103 rejections and places the claims in condition for allowance. Applicants, therefore, respectfully request issuance of a Notice of Allowance for all claims now pending.

Applicants also request the Examiner contact the undersigned attorney of record at 512.343.6116 if such would further or expedite the prosecution of the present Application.

Respectfully-submitted,

A handwritten signature in black ink, appearing to read 'Eustace P. Isidore', is written over a horizontal line.

Eustace P. Isidore

Registered with Limited Recognition (see attached)

DILLON & YUDELL LLP

8911 North Capital of Texas Highway

Suite 2110

Austin, Texas 78759

512.343.6116

ATTORNEY FOR APPLICANT(S)



**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATES PATENT AND TRADEMARK OFFICE**

RECEIVED

JUN 15 2004

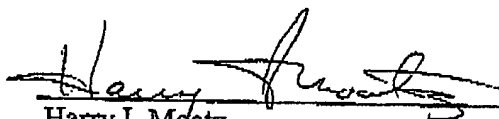
Technology Center 2600

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Mr. Eustace P. Isadore is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Dillon & Yudell L.L.P. to prepare and prosecute patent applications wherein the patent applicant is the client of Dillon & Yudell L.L.P., and the attorney or agent of record in the applications is a registered practitioner who is a member of Dillon & Yudell L.L.P. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Mr. Eustace P. Isadore ceases to lawfully reside in the United States, (ii) Mr. Eustace P. Isadore's employment with Dillon & Yudell L.L.P. ceases or is terminated, or (iii) Mr. Eustace P. Isadore's current Employment Authorization card expires.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: June 26, 2004



Harry I. Moatz
Director of Enrollment and Discipline